

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Respondent,</b>	)	
	)	
<b>v.</b>	)	<b>Case 3:06-cv-00014-WHA-VPM</b>
	)	<b>[Related to case 3:03-cr-00220-WHA-VPM]</b>
<b>DAVID JEROME CRAWFORD,</b>	)	
	)	
<b>Petitioner.</b>	)	

**MOTION OF COUNSEL FOR LEAVE TO WITHDRAW**

The undersigned J. Fairley McDonald, III, and the law firm of Slaten & O'Connor, P.C., respectfully move for leave to withdraw as counsel for David Jerome Crawford in the above-captioned cause, it being shown:

1. On or about January 6, 2006, Crawford filed a *pro se* motion under 28 U.S.C. § 2255 seeking to vacate or set aside the 188 month sentence imposed on him on or about July 6, 2004, in *United States v. David Jerome Crawford*, case 3:03-cr-00220-WHA (M.D.Ala.). Crawford had previously entered a guilty plea for being a felon in possession of a firearm [18 U.S.C. § 922(g)(1)]. His sentence was based on his status as an “armed career criminal” subject to the sentence enhancement in 18 U.S.C. § 924(e). He is currently incarcerated in a Federal facility in South Carolina.

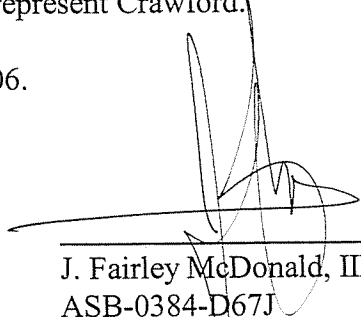
2. On or about March 3, 2006, the undersigned was appointed to represent Crawford. Before this appointment, the United States had filed a response to Crawford’s motion basically admitting that Crawford’s conviction is due to be vacated because the record does not reflect that, at the time he entered a guilty plea, he was aware of the maximum possible penalty and minimum possible

penalty due to his status as an “armed career criminal.” The likely result of Crawford’s motion is a trial or a new plea agreement.

3. The undersigned has familiarized himself with the circumstances of Crawford’s case and what counsel believes are the relevant legal principles. In light of the concession by the United States and of the circumstances, the undersigned has formed definite opinions as to the likely outcome of various scenarios and has given Crawford recommendations about the route he should now go. Those recommendations, counsel believes, are in Crawford’s best interests given all the circumstances. Crawford does not agree with counsel’s views. Crawford has expressed to counsel and, counsel is informed, to the Court that he no longer wants any assistance from the undersigned.

4. In counsel’s view, the relationship between lawyer and client has deteriorated to the point that counsel can no longer undertake to represent Crawford.

This the 13<sup>th</sup> day of April, 2006.



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J. Fairley McDonald, III (MCD015)  
ASB-0384-D67J

SLATEN & O’CONNOR, P.C.  
105 Tallapoosa Street  
Suite 101  
Montgomery, Alabama 36104  
(334) 396-8882  
(334) 396-8880 [facsimile]  
fmcDonald@slatenlaw.com

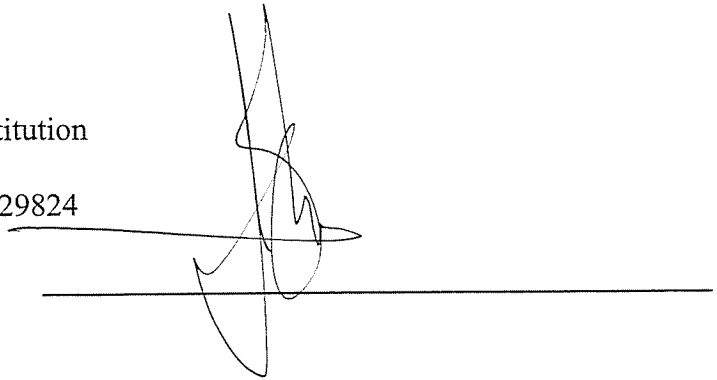
**Certificate of Service**

I HEREBY CERTIFY that, on this the 13<sup>th</sup> day of April, 2006, I electronically filed this Notice with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Susan Redmond  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104

I FURTHER CERTIFY that, on said date, I also served a copy of this Motion on the following by first class United States mail:

David Jerome Crawford  
Inmate Reg. 11307002  
FCI Edgefield  
Edgefield Correctional Institution  
Post Office Box 725  
Edgefield, South Carolina 29824

A handwritten signature in black ink, appearing to be "David Jerome Crawford", is written over a horizontal line. The signature is stylized with a large, looped initial "D" and a trailing flourish.